



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/636,132	08/06/2003	Craig A. Hickman	108298728US	2394
25096	7590	12/13/2006		
PERKINS COIE LLP				
PATENT-SEA				
P.O. BOX 1247				
SEATTLE, WA 98111-1247				
EXAMINER				
STINSON, FRANKIE L				
ART UNIT		PAPER NUMBER		
1746				

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/636,132

Applicant(s)

HICKMAN ET AL.

Examiner

FRANKIE L. STINSON

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4 and 15 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-14 and 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8-30-06 - 9-18-06

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 1746

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 8-14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Imai (U. S. Pat. No. 6,624,879) in view of Japan'261 (Japan.10-294261)

Re claims 1, 11 and 18, Imai is cited disclosing a stepper or scanner machine for processing microfeature workpieces, the machine comprising: an illuminator (IL) disposed within the housing; a lens (21) disposed within the housing; a workpiece support (1) disposed within the housing; a cleaning device disposed within the housing to remove contaminants from the workpiece support (see col. 14, lines 59 thru col. 14, line 5); and a stage (27, 28) carrying the workpiece support that differs from the claims only in the recitation of at least one of the stage and the cleaning device being movable relative to the other to selectively position the workpiece support at least proximate to the cleaning device and the housing as claimed. Japan'261 is each cited disclosing in a device to clean a chuck, the arrangement of providing relative movement between the cleaning device and the workpiece and a cleaning device being located in the housing (15) . It therefore would have been obvious to one having ordinary skill in the art to modify the arrangement of Imai, to have relative movement between the workpiece support and the cleaning device and the same being located in an housing as taught by Japan'261, for the purpose of positioning the chuck and cleaning device for proper

Art Unit: 1746

cleaning and to prevent contamination of the device. Re claim 2, Imai disclose the end effector (29). Re claim 13 and 19, Japan'261 and Shirley disclose the distal end effector. Re claim 8-10, Imai discloses the controller to perform a cleaning in that Imai discloses that "apparatus initiate a suitable cleaning sequence operation", col. 14, lines 1-4)

3. Claims 5, 6, 16, 17, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claims 1, 11 and 18 above, and further in view of Morgan (U. S. Pat. No. 6,290,863) or Gindel (U. S. Pat. No. 6,666,927) or Japan'400 (Japan 5-291400).

Claims 5, 6, 16, 17, 20 and 21 define over the applied prior art only in the recitation of the vacuum means for removing the contaminants. Morgan, Gindel and Japan'400 are each cited disclosing an arrangement of providing vacuum means for removing contaminants. It therefore would have been obvious to one having ordinary skill in the art to modify the apparatus of Imai, to include vacuum removing means as taught by Morgan, Gindel, or Japan'400, for the purpose of preventing the contaminants from being re-deposited back onto the just cleaned surface. Also note that Morgan discloses the second cleaning fluid passageway.

4. Claims 4 and 15 stand allowed.

5. Applicant's arguments filed Oct. 24, 2006 have been fully considered but they are not persuasive. In regard to the remarks on the Japan'261 (Akune) reference, namely that the same fails to disclose a housing , attention is directed to Akune's housing 15


Art Unit: 1746

having located therein, cleaning means 51. It is the examiner's position that to substation one housing for another is deemed to be a mere substation of equivalents,

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


FRANKIE L. STINSON
PRIMARY EXAMINER
ART UNIT ~~242~~ 1700